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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KIRK KEILHOLTZ and KOLLEEN KEILHOLTZ for themselves and on behalf of those similarly situated

v.

Plaintiff(s)

SUPERIOR FIREPLACE COMPANY, LENNOX HEARTH PRODUCTS, INC., LENNOX INTERNATIONAL, INC., DOES 1 through 25, inclusive

Defendant(s)

CASE NUMBER: C-08-00836-SI

NOTICE OF DISMISSAL BY PLAINTIFF
Rule 41(a)(1) F.R.Civ.P.

PLEASE TAKE NOTICE:

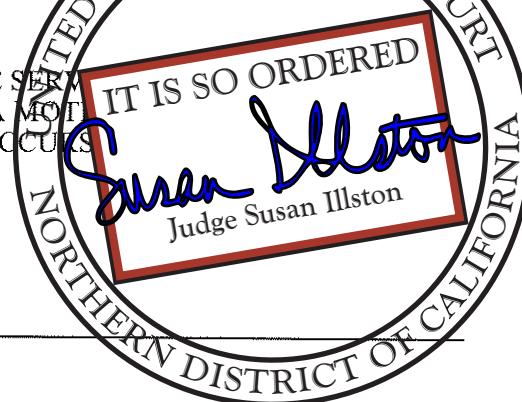
The above-entitled action is
or
 Defendant(s) **As to defendant, SUPERIOR FIREPLACE COMPANY, ONLY**

hereby dismissed by the plaintiff(s), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: August 18, 2008

Plaintiff / Attorney for Plaintiff
KIRK J. WOLDEN

THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVING
BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION
FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.



NOTICE OF DISMISSAL BY PLAINTIFF
(Rule 41(a)(1), F.R.Civ.P.)